

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CASE NO. 1:23-cv-01099



JOHN DOE,)
Plaintiff,)
v.) MOTION TO SEAL MOTION
DUKE UNIVERSITY) TO WITHDRAW
Defendant.)

PLAINTIFF'S MOTION TO SEAL ATTORNEYS' MOTION TO WITHDRAW

Plaintiff **John Doe** respectfully moves this Court for an Order to seal the "Motion to Withdraw as Counsel" filed by Plaintiff's attorneys on September 16, 2024. In support of this Motion, Plaintiff states as follows:

FACTUAL BACKGROUND

1. Confidentiality Concerns: Plaintiff filed this lawsuit under the pseudonym "John Doe" to maintain anonymity due to the sensitive nature of the allegations. Despite this, Plaintiff's address, a longstanding P.O. Box, was disclosed in the public Motion to Withdraw filed on September 16, 2024, by the Plaintiff's attorneys. This compromises Plaintiff's anonymity, as the address can be traced back to Plaintiff, undermining the very purpose of proceeding anonymously.

2. Expectation of Privacy: Plaintiff's legal counsel assured Plaintiff that the Motion to Withdraw would be confidential and sealed. The public disclosure of this motion, revealing Plaintiff's address, contradicts these assurances and compromises Plaintiff's privacy.

3. Impact on Securing New Counsel: The attorneys' Motion to Withdraw, by revealing Plaintiff's identifiable information and private details, could hinder efforts to secure new legal representation. Potential counsel may perceive the case other than on case merits due to these disclosures, affecting Plaintiff's ability to find competent representation. Sealing the motion would prevent such misinterpretations and protect Plaintiff's ability to retain new counsel.

4. Opposition to Hearing: Plaintiff opposes any hearing, whether in camera or open, regarding his representation status. Discussing these issues in a hearing could further damage Plaintiff's chances of securing new counsel and affect the integrity of the proceedings.

LEGAL GROUNDS FOR SEALING

1. Local Rule 5.4: Local Rule 5.4 of the Middle District of North Carolina supports sealing documents containing sensitive personal information, particularly when public disclosure could cause harm to a party. Plaintiff is particularly concerned about the public disclosure of Plaintiff's address in the public Motion to Withdraw filed on September 16, 2024, by the Plaintiff's attorneys, as the address can be traced back to Plaintiff, undermining the very purpose of proceeding anonymously.

2. Federal Rule of Civil Procedure 5.2: Rule 5.2 permits the redaction of certain personal information to protect an individual's privacy in public filings. The sensitive nature of the disclosed information justifies sealing to prevent further harm to Plaintiff.

3. Doe v. Public Citizen, 749 F.3d 246 (4th Cir. 2014): The Fourth Circuit has affirmed the need to protect private information in judicial filings when necessary to prevent prejudice or harm to a litigant.

4. Defendant Will Not Be Prejudiced: As stated in John Doe's initial Complaint, Plaintiff disclosed the Plaintiff's identity to the Defendant in Plaintiff's charge of discrimination to the Equal Employment Opportunity Commission (EEOC) and the subsequent Right to Sue. Therefore, the Defendant is fully aware of Plaintiff's identity, and this motion will not hinder Defendant's ability to answer or litigate this case.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff respectfully moves the Court for an Order to grant the sealing of the Motion to Withdraw filed on September 16, 2024, along with any related documents that disclose Plaintiff's identity or personal information, to protect Plaintiff's privacy and safety.

Dated: September 23, 2024.

Respectfully submitted,



John Doe

Address Redacted